



Economic Impact Analysis Virginia Department of Planning and Budget

8 VAC 20-22 – Licensure Regulations for School Personnel Department of Education

Revised:¹ July 24, 2006

Original: December 22, 2005

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The Board of Education (board) proposes to concurrently repeal the text of the current regulations (8 VAC 20-21) and promulgate new regulations (8 VAC 20-22) with the same title. The proposed regulations contain numerous changes including: 1) amending the requirements for teachers with out-of-state experience to qualify for exemption from Virginia's assessment requirement, 2) requiring applicants for endorsement in early/primary education prek-3, elementary education preK-6, special education-general curriculum, special education-hearing disorders, special education-visual impairments and as a reading specialist to obtain passing scores on a reading instructional assessment, 3) requiring that individuals seeking initial licensure demonstrate proficiency in the use of educational technology for instruction, 4) increasing the required hours of student teaching from 300 to 500, 5) requiring that Provisional

¹ This Economic Impact Analysis was revised to reflect amendments to the board's proposals that were made in July 2006.

License holders pass the professional teacher's assessments within the first year of contract, 6) permitting all individuals obtaining licensure through alternative routes to substitute experiential learning in lieu of coursework, 7) establishing the International Educator License, 8) establishing the Career Teacher, Mentor Teacher, and Teacher as Leader designations, 9) incorporating descriptions of professional development options that satisfy renewal requirements into the regulations, 10) eliminating peer observation and educational travel as options for professional development, 11) establishing the school manager license, 12) removing competencies for endorsement areas, 13) allowing individuals who hold a teaching license to add an additional endorsement by passing a rigorous academic subject test prescribed by the board, 14) changing the required minimum in-car instruction from 20 to 14 hours of actual behind-the-wheel supervised teaching experience and requiring 2 hours of basic evasive maneuvers, 15) reducing the total semester hours of required coursework for the health and physical education preK-12 endorsement, and the history and social science endorsement, 16) permitting middle education endorsement in only one area, 17) amending the nature and names of special education endorsements, 18) establishing Level II endorsement for administrators, 19) establishing the speech language pathology assistant endorsement, 20) establishing the mathematics specialist endorsement, and 21) discontinuing the visiting teacher endorsement.

Estimated Economic Impact

Licensure

Out-of-state exemption

In order to obtain the Collegiate Professional License (the standard teacher's license) new teachers must obtain passing scores on professional teacher's assessments prescribed by the board. Persons with out-of-state teaching experience may be exempt from the assessment requirement if they meet specified criteria. Under the current regulations "Individuals who have completed a **minimum of two years of full-time, successful teaching experience**² in an accredited public or nonpublic school (kindergarten through grade 12) in a state other than Virginia are exempted from the assessment requirement." Under the proposed regulations "Individuals who **hold a valid out-of-state license** (full credential with no deficiencies) and who

² The bold is for emphasis in this report and is not present in the proposed regulations.

have completed a **minimum of three years of full-time, successful teaching experience** in a public or accredited nonpublic school (kindergarten through grade 12) in a state other than Virginia are exempted from the professional teacher's assessment requirements." The current regulations potentially allow someone who has not and is unable to pass another state's assessment examinations, but has taught for a few years with a temporary license, to acquire full licensure in Virginia without passing the Commonwealth's assessment examinations. The proposed regulations do not allow individuals that cannot obtain full licensure in other states to become fully licensed in Virginia without passing the Commonwealth's assessment examinations. This will reduce the prevalence of students having teachers that do not possess what is considered the minimum necessary knowledge to teach competently. Thus, this proposed change likely produces a significant benefit.

On the other hand, some teachers who can pass the assessment examinations, but who do not have to do so under the current regulations, will need to spend the time and dollars to do so under the proposed regulations. These individuals will need to pass the Virginia Communication and Literacy Assessment and the Praxis II in their particular endorsement area. The fees for these examinations are currently \$110³ and \$100 to \$125⁴ (depending on the endorsement area), respectively. Under the proposed regulations passing the Virginia Reading Assessment is also required for individuals seeking an endorsement as a reading specialist or individuals seeking initial licensure with endorsements in any of the following endorsements (teaching areas): early/primary education prek-3, elementary education preK-6, special education-general curriculum, special education-hearing disorders, and special education-visual impairments. The total fee for this exam is \$105.⁵ The fees and time involved are not negligible, but their magnitudes are unlikely to discourage most potential applicants with out-of-state experience from pursuing teaching positions in Virginia. Overall it seems likely that the benefit of reducing the prevalence of students having teachers that do not possess what is considered the minimum necessary knowledge to teach competently outweighs the introduced costs of fees and time for some applicants with out-of-state experience.

³ Source: http://www.vcla.nesinc.com/VC_testfees.asp on December 20, 2005.

⁴ Source:

<http://www.ets.org/portal/site/ets/menuitem.1488512ecfd5b8849a77b13bc3921509/?vgnextoid=2d932d3631df4010VgnVCM10000022f95190RCRD&vgnnextchannel=dd515ee3d74f4010VgnVCM10000022f95190RCRD> on December 20, 2005.

⁵ Source: http://www.vra.nesinc.com/VE2_testfees.asp on December 20, 2005.

Demonstrated proficiency

The board proposes to require that individuals seeking initial licensure demonstrate proficiency in the use of educational technology for instruction. According to the Department of Education (department) each school division will verify that teachers have met this requirement. The current regulations require that candidates for the early/primary education preK-3 and elementary education preK-6 endorsements have at least three semester hours of computer/technology coursework. The proposed regulations do not require this coursework. Nowadays many, perhaps most, recent college graduates are likely computer literate even without having taken computer science classes. If these individuals can demonstrate proficiency without taking computer/technology coursework, they can save the time and tuition associated with the course if it would have been in addition to their bachelor's degree coursework, or they can take a class that they determine is more useful if the computer class would have been part of their bachelor's degree coursework. Thus, if each school division does in practice accurately identify which teachers have met this requirement, the proposed amendments will create a net benefit in regard to early/primary education preK-3 and elementary education preK-6 endorsed teachers. Thus, there will be savings in time and dollars to allow computer competent individuals to test out of the computer class requirement.

The current and proposed regulations require "demonstrated proficiency in the use of educational technology for instruction" for adult education, preK-12, special education, and secondary grades 6-12 endorsements. Thus, this proposal will not significantly affect teachers seeking these endorsements.

Student teaching

The board proposes to increase the number of required student teaching hours from 300 to 500 clock hours (including pre- and post clinical experiences). According to the department, most collegiate education programs are already meeting the proposed requirement. Additional time spent as a student teacher likely has some benefit, but it has costs as well. The individual could potentially use that additional time productively on other pursuits. Individuals who pursue the career switcher route will continue to be able to obtain licensure with considerably less student teaching time in practice.

Provisional license

Under the current regulations, Provisional License holders may teach up to three years without passing the professional teacher's assessments. Under the proposed regulations Provisional License holders must pass the professional teacher's assessments within the first year of their contractual date of employment in order to remain licensed and continue teaching. This will likely reduce the frequency that Virginia's students are taught by teachers who are unable to demonstrate what is considered the minimum necessary knowledge to teach competently.

Experiential learning

The current regulations allow individuals obtaining licensure through the career switcher program to substitute experiential learning in lieu of coursework in accordance with board criteria and procedures. The proposed regulations permit individuals obtaining licensure through all alternative routes to substitute experiential learning in lieu of coursework in accordance with criteria and procedures established by the board. The proposed regulations list the following as the criteria to be eligible to request experiential learning credits in lieu of the coursework: 1) hold a baccalaureate degree from a regionally accredited college or university, 2) have at least five years of documented full-time work experience that may include specialized training related to the endorsement sought, and 3) have met the qualifying score on the content knowledge assessment prescribed by the Board of Education. A candidate who can pass the content knowledge assessment relevant to their endorsement, particularly paired with relevant work experience, will very likely possess sufficient content knowledge to teach competently in their field. These individuals will save the time and tuition associated with completing the exempted coursework. Additionally, the reduction in cost for fees and time may be enough to encourage some individuals who are highly-knowledgeable in specific fields (say someone with graduate training chemistry for example) to pursue teaching in their area of expertise who otherwise might not have chosen a teaching career. Thus, this proposal will likely produce a net benefit

International educator License

The board proposes to establish the International Educator License. In order to obtain the International Educator License an individual must be employed by a Virginia public or accredited nonpublic school, hold non-U.S. citizenship and be a non-permanent resident, and

serve as an exchange teacher for a time period not to exceed three consecutive years. Additionally, the candidate must meet the following requirements as verified by a state approved, federally designated Exchange Visitor Program (22 CFR Part 62):

1. Be proficient in written and spoken English;
2. Demonstrate competence in the appropriate academic subject area(s);
3. Hold the U.S. equivalent of a baccalaureate degree or higher as determined by an approved credential agency; and
4. Hold U.S. or foreign educator credentials and completed at least one year of successful teaching experience that:
 - a. Enables the educator to fulfill a similar assignment in his or her home country; or
 - b. Are comparable to those requirements for Virginia teachers.

To the extent that the individuals awarded the International Educator License are truly competent to teach the courses they end up in teaching in practice, the introduction of this license will likely produce a net benefit. Through daily interaction, their students will likely learn about life and culture outside the United States to an extent that they would not have otherwise.

Designations

The board proposes to establish the following designations for teacher licenses: Career Teacher, Mentor Teacher, and Teacher as Leader. The board's intent is to reflect stages in the professional development of teachers and promote continuing growth and career paths as educators. Teachers who get their initial license renewed acquire the Career Teacher designation. Mentor Teacher is a voluntary designation that can be issued to individuals who have achieved the career teacher designation, received a recommendation for the designation from an employing Virginia school division superintendent or designee or accredited nonpublic school head, served at least three years as a mentor teacher in Virginia, documented responsibilities as a mentor' and completed a local or state mentor teacher training program in accordance with the board requirements for mentor teachers. Teacher as Leader is another voluntary designation. This title can be granted to individuals who have achieved the career teacher designation; completed at least five years of successful, fulltime teaching experience in a Virginia public school or accredited nonpublic school; received the recommendation from an employing Virginia school division superintendent or designee or accredited nonpublic school

head; and completed one of the following: 1) National Board Certification or a nationally recognized certification program approved by the Board of Education and demonstrated skills and abilities as a school leader, or 2) a recommendation from an employing Virginia school division superintendent or designee or accredited nonpublic school head and documentation verifying the individual's demonstrated skills and abilities as a school leader and direct contributions to school effectiveness and student achievement.

The Career Teacher designation will not likely have much effect. It does not indicate anything beyond the teacher having had their license renewed. The Mentor Teacher and Teacher as Leader designations are not required by regulations or the Code of Virginia for teachers to do any particular work or fill any particular function. On the other hand, local school divisions may find the designations useful. Achieving the distinctions may be considered a signal of accomplishment and/or ability. Divisions may choose to only hire or have hiring preferences for individuals who have gained one of these designations for specific jobs. Divisions may also wish to pay more to individuals who have achieved one of these designations.

Professional development

Both the current and proposed regulations require 180 professional development points within a five-year period for license renewal. The current regulations list the titles of approved professional development activity options, but do not provide descriptions. The proposed regulations include detailed descriptions of what is required for each activity to qualify. This is beneficial for teachers in that they will be less likely to waste time on activities that will not qualify due to lack of clarity of what is specifically required.

The current regulations include ten approved activity options for professional development points: college credit, professional conference, peer observation, educational travel, curriculum development, publication of article, publication of book, mentorship/supervision, educational project, and employing educational agency professional development activity. The proposed regulations retain the eight of the current options, but peer observation and educational travel have been eliminated as approved options for professional development. The board has determined that these activities are not considered high quality professional development as defined in the federal No Child Left Behind law. There currently exists very little research indicating which types of professional development are most effective in improving student

performance. Cohen and Hill (2000) find that professional development focused on the teaching and learning of specific mathematics and science content is more effective than more general professional development on student achievement in math and science. Figlio, Getzler, and Lucas (2005) find that course planning activities, academic content area training, and teaching methodology training are associated with student test score gains in reading and mathematics, while general professional development and professional development activities focused on technology are significantly less effective. Based on the limited existing research, peer observation and educational travel are likely less effective in positively affecting student performance than some of the other options. Thus, the proposed removal of these options will likely result in some increase in teachers participating in more effective professional development. Though some teachers may not be happy with the reduction in options, this proposal will likely produce a net benefit since more teachers participating in more effective training will likely result in some degree of improved student performance.

School manager license

The board also proposes to establish a school manager license. “The school manager endorsement is intended to provide for the differentiation of administrative responsibilities in a school setting. A school manager is licensed to administer non-instructional responsibilities in an educational setting.” To earn a school manager license, the candidate must: 1) hold a baccalaureate degree from a regionally accredited college or university, 2) have three years successful managerial experience, and 3) be recommended for the endorsement by a Virginia school division superintendent. It is not clear that schools would be prohibited from hiring individuals to administer non-instructional responsibilities without this license; thus, the introduction of this endorsement may have little effect.

Endorsements

Removing competencies for endorsement areas

For each endorsement area, the current regulations (8 VAC 20-21) list both the competencies that the candidate’s education program must address and the requirements that the candidate herself must directly satisfy. For example, the current regulations list the following requirements for the Art preK-12 endorsement:

A. The program in art preK-12 will ensure that the candidate has demonstrated the following competencies:

1. Understanding of the knowledge, skills, and processes of the art discipline as defined in the Virginia Standards of Learning, and how they provide a necessary foundation for teaching art;
2. Understanding of the knowledge, skills, and processes for teaching art appropriate to the developmental levels of students in preK-12 including the following areas:
 - a. Knowledge and experience in planning, developing, administering, and evaluating a program of art education;
 - b. Two-dimensional media and concepts: basic and complex techniques and concepts in two-dimensional design, drawing, painting, printmaking, computer graphics and other electronic imagery;
 - c. Three-dimensional media and concepts: basic and complex techniques and concepts in three-dimensional design, sculpture, ceramics, fiber arts, and crafts;
 - d. History of art, including aesthetics and criticism;
 - e. The relationship of art and culture and the influence of art on past and present cultures;
 - f. Related areas of art, such as architecture, dance, music, theater, photography, and other expressive arts;
 - g. Knowledge and understanding of technological and artistic copyright laws;
 - h. Knowledge and understanding of safety, including use of toxic art material in various aspects of studio and classroom work; and
 - i. Observation and student teaching experiences at the elementary, middle and secondary levels.
3. Understanding of and proficiency in grammar, usage, and mechanics and their integration in writing.

B. Endorsement requirements. The candidate must have:

1. Graduated from an approved teacher preparation program in art; or
2. Completed a major in art or 36 semester hours in art with course distribution in the following areas:
 - a. Two-dimensional media: 12 semester hours;

- b. Three-dimensional media: 12 semester hours;
- c. History of art, aesthetics, and criticism: 9 semester hours; and
- d. Related areas of art: 3 semester hours.

The board proposes to not include the competency requirements (i.e., “A” above) that education programs must address in the proposed licensure regulations (8 VAC 20-22), and to instead list those requirements in the *Regulations Governing the Review and Approval of Education Programs in Virginia* (8 VAC 20-542). The proposed regulations will continue to include the requirements that the candidate herself must directly satisfy (i.e., “B” above) in order to obtain an endorsement to her license. The proposed change is beneficial because the providers of the education programs (colleges, universities) are in effect subject to the competency requirements (“A”), and the direct endorsement requirements (“B”) do specify that the candidate must be a graduate of an approved program. Thus, removing this language does not diminish the reader’s understanding of the endorsement requirements, and may increase the ease of finding relevant information due to the reduction of extraneous information.

Adding endorsements

Under the current regulations, obtaining endorsements typically requires extensive coursework. Individuals may still obtain additional endorsements via this route under proposed regulations. The board proposes to also allow individuals who hold a teaching license to add an additional endorsement by passing a rigorous academic subject test prescribed by the board.⁶ This will potentially save candidates a significant amount of time and tuition. If the prescribed tests are sufficiently well-designed to accurately assess the candidates’ relevant knowledge in the respective endorsement areas, then those individuals that obtain additional endorsements by passing a rigorous academic subject test should be at least as able to teach competently in their field as someone who took all the courses in the traditional route, other attributes being equal. Also, the reduction in cost for fees and time may be enough to encourage some individuals to seek an additional endorsement who otherwise may not have. This will likely produce an

⁶ This testing option will not apply to individuals who are seeking an early/primary prek-3 or elementary education prek-6 endorsement or who hold a technical professional license, vocational evaluator license, pupil personnel services license, or division superintendent license.

increase in the number of teachers technically qualified to teach in fields that have shortages. Thus, this proposed amendment will likely produce a net benefit.

Required coursework for endorsements

For the driver education add-on endorsement, the board proposes to change the required minimum length of in-car instruction from 20 hours of actual behind-the-wheel supervised teaching experience, to 14 hours of actual behind-the-wheel supervised teaching experience and 2 hours of basic evasive maneuvers. According to the department, the behind-the-wheel supervised teaching experience is proposed to be reduced to 14 hours to align with the driver education program requirement. Further the board proposes to reduce the total required semester hours of required coursework for the health and physical education preK-12 endorsement from 45 semester hours to 39 semester hours, and for the history and social science endorsement from 51 semester hours to 42 semester hours. Presuming that the endorsement candidates can acquire the necessary knowledge to teach competently with the smaller number of course hours, the proposed reductions in minimum required semester hours for endorsements should provide a net benefit in that candidates can choose to use the time and fees that would have been spent on those additional courses more productively on other pursuits.

Middle education 6-8

The current regulations require middle education 6-8 endorsement candidates to have academic preparation in at least two areas of the following areas: English, mathematics, science, and history/social science. The proposed regulations permit middle education endorsement with academic preparation in only one area. This is beneficial in that allows candidates to not spend time and funds on a field for which they have no desire or intention to teach.

Special education endorsements

The current regulations include the following endorsements: special education-specific learning disabilities, special education-mental retardation, special education-emotional disturbances, and special education-severe disabilities. The board proposes to eliminate these four endorsements and replace them with the following two endorsements: special education-adapted curriculum and special education-general curriculum. Insufficient information is available to evaluate the impact of this proposed change in endorsement categories.

Administration and supervision preK-12

An endorsement in Administration and supervision preK-12 is required to serve as a building-level administrator or central office supervisor. Under both the current and proposed regulations this endorsement can be acquired through a traditional approved program route, an alternative route, or by reciprocity for candidates who hold a valid out-of-state license with endorsement in administration and supervision. The board proposes to call this Level I endorsement, and proposes a new Level II endorsement.

Level II endorsement will be similar to a designation in that it will not be required by the Commonwealth to do any particular work or fill any particular function. Local school divisions may find the Level II endorsement useful. Achieving the distinction may be considered a signal of accomplishment and/or ability. Divisions may choose to only hire or have hiring preferences for individuals who have gained Level II endorsement for specific jobs. Divisions may also wish to pay more to individuals who have achieved Level II. In order to achieve Level II endorsement the candidate must serve as a building-level administrator for at least five years in an accredited school and successfully complete a formal induction program as a principal or assistant principal. Additionally, at least two of the following five criteria must be met: 1) evidence of improved student achievement, 2) evidence of instructional leadership, 3) evidence of positive effect on school climate or culture, 4) earned doctorate in educational leadership or evidence of formal professional development in the areas of school law, school finance, supervision, human resource management, and instructional leadership, and 5) evidence of a completion of a high-quality professional development project designed by the division superintendent.

New and discontinued endorsements

Both the current and proposed regulations contain a speech-language disorders preK-12 endorsement. Candidates must possess at least a master's degree in speech-language pathology from an accredited institution in order to acquire the speech-language disorders preK-12 endorsement. The board proposes to establish a speech-language pathology assistant preK-12 endorsement. The intent is for the speech-language pathology assistant to provide speech-language pathology support under the direction and supervision of a speech-language pathologist. In order to earn the speech-language pathology assistant preK-12 endorsement, the candidate must: 1) complete a baccalaureate degree in speech-language pathology or

communication disorders from an accredited college or university, and 2) complete a minimum of 500 clock hours in supervised education experiences for the job responsibilities and workplace behaviors of the speech-language pathology assistant. According to the department there has been a shortage of qualified speech language pathologists in Virginia's public schools. Working under the direction and supervision of a fully endorsed speech pathologist (speech-language disorders preK-12 endorsement), speech-language pathologist assistants should be able to competently help provide more frequent speech-language treatment for students. Additionally, the proposed endorsement may help provide a useful career path for those who intend to obtain a graduate degree in speech-language pathology.

The board proposes to establish a mathematics specialist for elementary and middle education endorsement. According to the department, school divisions will be required to hire individuals with mathematics specialist for elementary and middle education endorsement if funding is provided through the Standards of Quality. The requirements for the mathematics specialist for elementary and middle education endorsement are as follows: 1) completion of at least three years of successful classroom teaching experience in which the teaching of mathematics was an important responsibility; and 2) graduation from an approved mathematics specialist preparation program (master's level) or completed a master's level program in mathematics, mathematics education, or related education field with 30 semester hours of graduate coursework, including at least 21 hours of coursework in undergraduate or graduate-level mathematics.

Finally, the board proposes to eliminate the visiting teacher endorsement. According to the department, no visiting teacher programs exist at Virginia institutions, and there is no perceived demand for the endorsement. Removing the endorsement from the regulations will be moderately beneficial on that readers will not be misled into believing that such an endorsement may actively exist in the Commonwealth.

Businesses and Entities Affected

The proposed regulations affect the 132 school divisions, approximately 110,000 instructional personnel, 37 accredited institutions that offer education programs, and students in the Commonwealth.⁷

⁷ Number source: Department of Education

Localities Particularly Affected

The proposed regulations significantly affect all Virginia localities.

Projected Impact on Employment

The proposal to permit all individuals obtaining licensure through alternative routes to substitute experiential learning in lieu of coursework will enable these individuals to save the time and tuition associated with completing the exempted coursework. This reduction in cost for fees and time may be enough to encourage some individuals who are highly-knowledgeable in specific fields (say someone with graduate training chemistry for example) to pursue teaching in their area of expertise who otherwise might not have chosen a teaching career.

The proposal to allow individuals who hold a teaching license to add an additional endorsement by passing a rigorous academic subject test prescribed by the board will potentially save candidates a significant amount of time and tuition. The reduction in cost for fees and time may be enough to encourage some individuals to seek an additional endorsement who otherwise may not have. This will likely produce an increase in the number of teachers technically qualified to teach in fields that have shortages.

Effects on the Use and Value of Private Property

Some individuals with out-of-state teaching experience will no longer be exempt from taking the professional teacher's assessments. These individuals will need to spend an additional \$210 to \$340 in examination fees plus time for preparation and testing.

The proposal to require that individuals seeking initial licensure demonstrate proficiency in the use of educational technology for instruction and to simultaneously eliminate the requirement that candidates for the early/primary education preK-3 and elementary education preK-6 endorsements have at least three semester hours of computer/technology coursework, will enable allow computer competent individuals to test out of the computer class requirement and save time and dollars.

The proposal to permit all individuals obtaining licensure through routes to substitute experiential learning in lieu of coursework will enable these individuals to save the time and tuition associated with completing the exempted coursework.

The proposal to allow individuals who hold a teaching license to add an additional endorsement by passing a rigorous academic subject test prescribed by the board will potentially save candidates a significant amount of time and tuition.

The proposal to reduce the total semester hours of required coursework for the health and physical education preK-12 endorsement and the history and social science endorsement will enable candidate to save the associated fees and time.

The proposal to permit middle education endorsement with academic preparation in only one area allows candidates to save spending time and funds on preparation for a field for which they have no desire or intention to teach.

Small Businesses: Costs and Other Effects

The proposed regulations do not significantly affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed regulations do not significantly affect small businesses.

References

- Cohen D and H Hill, (2000), "Instructional policy and classroom performance: The mathematics reform in California," Teachers College Record, 102(2), 294-343.
- Figlio D, Getzler L, and M Lucas,(2005), "Differential Professional Development and Teacher Performance," working paper presented at the 2005 Association for Public Policy Analysis and Management conference in Washington, D.C.